

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ELYAS PAYNE ROBERTS,

Defendant.

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8:20CR201

ORDER

This matter is before the court on the defendant's Motion to Continue Trial [39]. Counsel requests additional time to resolve the matter short of trial or to prepare for trial. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [39] is granted, in part as follows:

1. The jury trial, now set for May 25, 2021, is continued to **July 6, 2021**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and July 6, 2021**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without a hearing before the undersigned magistrate judge upon motion filed not less than 7-days before the date of trial.**

DATED: May 21, 2021.

BY THE COURT:

**s/ Michael D. Nelson
United States Magistrate Judge**